



Arizona State Board of Pharmacy
1700 W. Washington, Suite 250
Telephone (602) 771-2727 Fax (602) 771-2749
www.azpharmacy.gov

**AMENDED NOTICE AND AGENDA OF A REGULAR MEETING
OF THE ARIZONA STATE BOARD OF PHARMACY**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona State Board of Pharmacy (Board) and to the general public that the Board will hold a Regular meeting open to the public on:

November 12, 2008 at noon and November 13, 2008 at 9:00 A.M.
Arizona State Board of Pharmacy Office
1700 W. Washington, Third Floor Board Room
Phoenix, AZ 85007

One or more members of the Board may participate in the meeting by via telephone.

Title 2 of the Americans with Disability Act (ADA) prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation by contacting Cheryl Frush, Deputy Director at (602-771-2727). Requests should be made as early as possible to allow time to arrange the accommodation.

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may hold an executive session for the purposes of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A) (3) and may hold an executive session on agenda items 10, 11, 12, and 17 for the purpose of discussion or consideration of confidential material pursuant to A.R.S. § 38-431.03 (A) (2). The executive session will be held immediately after the vote and will not be open to the public.

The agenda is subject to change up to 24 hours prior to the meeting. The Board President reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

AGENDA

The Agenda for the meeting is as follows:

1. **Call to Order – President, Zina Berry, PharmD**
2. **Declaration of Conflicts of Interest**
3. **Discussion and Approval of Minutes**
Regular Meeting – September 10, 2008

ITEMS FOR BOARD REVIEW, DISCUSSION, AND LEGAL ACTION

4. **Gilbert Hospital** – Review of proposed plan to renovate the pharmacy space and relocation of the IV hood to meet minimum pharmacy space requirements and possible action and discussion of request for variance under R4-23-655 (B)
5. **Requests/Applications for Permits & Licenses**
(See Schedule “A” – a detailed listing of Requests/Applications for Permits & Licenses is posted with the agenda at the Board Office)
6. **Special Requests**
(See Schedule “B” – a detailed listing of special requests is posted with the agenda at the Board Office)
7. **License Applications Requiring Board Review**
(See Schedule “C” – a detailed listing of license applications requiring board review is posted with the agenda at the Board Office)
8. **Institute for the Certification of Pharmacy Technicians** – Request for the Board to approve the ExCPT test as a certification option for Arizona Pharmacy Technicians
9. **Reports**
 - A. **Executive Director Report**
 1. Budget
 2. Update on online application/renewals
 - B. **Deputy Director Report**
 1. Report on Inspections since September Meeting
 - C. **Pharmacists Assisting Pharmacists of Arizona Report (PAPA)**
 1. Report on PAPA participants since September Meeting
10. **Complaint Review – Consideration of Complaints on Schedule “D” and Consideration of Consumer Complaint Committee Recommendations**
(See Schedule “D” – a detailed listing of complaints is posted with the agenda in the Board Office)
11. **Conferences**
(See Schedule “E” – a detailed listing of conferences is posted with the agenda in the Board Office)
12. **Consent Agreements – Consideration of Proposed Consent Agreements**
(See Schedule “F” – a detailed listing of consent agreements is posted with the agenda in the Board Office)

13. **Pharmacy Technician Trainee Requests for Approval to Reapply for Licensure**
(See Schedule "G" – a detailed listing of pharmacy technician trainee requests is posted with the agenda in the Board Office)
14. **Proposed Rules**
(See Schedule "H" – a detailed listing of proposed rules is posted with the Agenda in the Board Office)
15. **Five-Year Review of Rules – Article 11**
16. **Approval of Board Meeting Dates for 2009**
17. **Formal Hearings and Motions to Deem**
(See Schedule "I" - a detailed listing of formal hearings and motions to deem is posted with the agenda in the Board Office)
18. **Call to the Public**
The Board may make an open call to the public during the meeting, subject to reasonable time, place, and manner restrictions, to allow individuals to address the Board on any issue within its jurisdiction. Pursuant to A.R.S. § 38-431.91 (G), members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, the Board may ask staff to review a matter or may ask that a matter be placed on a future agenda.
19. **Discussion of Items to be placed on a future meeting agenda**
20. **Adjournment**

Prepared and Posted 11/07/2008 CF

BEFORE THE ARIZONA STATE BOARD OF PHARMACY**November 12 & 13, 2008**

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SCHEDULE "A"

RESIDENT (Arizona) PHARMACY PERMITS	OWNER	PHARMACIST IN CHARGE
1. Potter's House Apothecary, Inc. 21755 N. 77 th Ave. #1200 Peoria, AZ 85382	Kevin & Christine Borg	Kevin Borg
2. Cigna Healthcare of Arizona 3530 S. Val Vista Dr. Gilbert, AZ 85296	Cigna Healthcare of Arizona	Not Designated
3. CVS/Pharmacy #7263 10707 W. Camelback Rd. Phoenix, AZ 85037	German Dobson CVS, LLC	Not Designated
4. Walgreens Pharmacy #10998 2483 E. Florence Blvd. Casa Grande, AZ 85222	Walgreen Arizona Drug Co.	Not Designated
5. Community Pharmacy III 2222 E. Highland Ave. #101B Phoenix, AZ 85016	Jeffrey Gubernick	Jeffrey Gubernick
6. Walgreens Pharmacy #04077 3005 E. Riggs Rd. Chandler, AZ 85249	Walgreen Arizona Drug Co.	Not Designated
7. Sierra Healthmart Pharmacy 1939 B Frontage Rd. Sierra Vista, AZ 85635	Sierra Pharmacy, Inc.	John Nicolais
8. Walgreens Pharmacy #10684 13542 E. Colossal Cave Rd. Vail, AZ 85641	Walgreen Arizona Drug Co.	Brian Swanson
9. Sam's Club Pharmacy #10-4955 16573 W. Bell Rd. Surprise, AZ 85374	Wal-Mart Stores, Inc.	Not Designated
10. Medica Pharmacy, Inc. 10304 N. Hayden Rd, Ste.7 Scottsdale, AZ 85258	Medica Pharmacy, Inc.	Sara Alderman
11. Longs Drug Store #7928 8836 N. 23 rd Ave. Phoenix, AZ 85021	Longs Drug Stores, California, LLC (Ownership Change)	Robert Beale
12. Longs Drug Store #7926 1930 S. Alma School Rd. Mesa, AZ 85210	Longs Drug Stores, California, LLC (Ownership Change)	Dan Dee

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SCHEDULE "A" Cont.

NON -RESIDENT (Out of State) PHARMACY PERMITS	OWNER	PHARMACIST IN CHARGE
1. US Med Inc. 1480 NW 79 th Ave. Miami, FL 33126	US Med Inc.	John Hawes Jr.
2. Bowermans Pharmacy 3131 S. Willow Ave., Suite 103 Fresno, CA 93725	Byram Healthcare Centers, Inc. (Ownership Change)	Richard Merchant
3. Skin Care RX, LLC 1055 S. 700 W. Salt Lake City, UT	Skin Care RX, LLC	Lola Porter
4. Valley View Drugs, Inc. 13966 Valley View Ave. La Mirada, CA 90638	Valley View Drugs, Inc.	Dave Jensen
5. Mayo Clinic Pharmacy 21 Second Street SW Rochester, MN 55902	Mayo Foundation for Medical Research and Education	Andrea Swanson
6. Providence Specialty Pharmacy Services 6410 NE Halsey, Ste. 400 Portland, OR 97213	Providence Health and Services	Don Love
7. Rx America 221 N. Charles Lindbergh Dr. Salt Lake City, UT 84116	Longs Drug Stores	Verlynn Hansen
8. Escalante Solutions Professional Services 4330 S. Valley View Blvd. #112 Las Vegas, NV 89103	Escalante Solutions LLC	Mark Kumamoto
9. Escalante Solutions, LLC 1625 E. National Dr., Ste 150 Sacramento, CA 95834	Escalante Solutions LLC (Ownership Change)	Mike Moti
10. Dabney Pharmacy 11115 S. Main St. Los Angeles, CA 90061	Twin Pharmacy, Inc.	Robert Rothman
11. MediPharm Inc. 6570 Stage Rd. Bartlett, TN 38134	MediPharm Inc.	Chimezie Oti
12. Daily Med Pharmacy 9525 Delegates Row Indianapolis, IN 46240	PrairieStone Pharmacy LLC	Daniel Carpenter

SCHEDULE "A" Cont.

**NON -RESIDENT (Out of State)
PHARMACY PERMITS****OWNER****PHARMACIST IN CHARGE**

13. Arrow Pharmacy & Nutrition Center
838 Farmington Ave.
Farmington, CT 06032

Arrow Pharmacy Holdings, LLC

Jeffrey D'Alessandro

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SCHEDULE "B"
SPECIAL REQUESTS

- | | | | |
|----|------------------------|---|---|
| 1. | Caryn Trotta-Gundersen | - | Request to terminate probation per Board Order 04-0018-PHR |
| 2. | Rosalie Canaya | - | Request to terminate suspension and impose probation per Board Order 08-0032-PHR |
| 3. | Thomas Castaneda | - | Request to terminate suspension and impose probation per Board Order 08-0049- PHR |
| 4. | Richard Pillon | - | Request to terminate probation per Board Order 07-0012- PHR |
| 5. | Rory Albert | - | Request to terminate probation per Board Order 06-0013-PHR |
| 6. | Marta Broksas | - | Request to terminate probation per Board Order 05-0017-PHR |

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SCHEDULE "C"

LICENSE APPLICATIONS REQUIRING BOARD REVIEW

- | | | | |
|----|------------------------|---|---|
| 1. | Avis Davis | - | Request to proceed with reciprocity of Pharmacist License
(Previous Disciplinary action in Illinois) |
| 2. | Heather Exarhos | - | Request to proceed with Pharmacy Technician Trainee
licensure (Felony Conviction) |
| 3. | Elizabeth Guevara | - | Request to proceed with Pharmacy Technician Trainee
licensure (Felony Conviction) |
| 4. | Ishmael Smith-Muhammad | - | Request to proceed with Pharmacy Technician Trainee
licensure (Felony Convictions) |
| 5. | Latosha Gamez | - | Request to proceed with Pharmacy Technician Trainee
licensure (Revocation of Certified Nursing Assistant
Certificate by Arizona State Board of Nursing) |
| 6. | Brandee Provo | - | Request to reinstate surrendered Pharmacy Technician
license |
| 7. | Robert Vinci | - | Written request to withdraw application for reciprocity
approved by the Board at the March 2008/action on
application |

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SCHEDULE "D"

COMPLAINT REVIEW - LIST OF COMPLAINTS BEING REVIEWED

Complaint Number	Respondent
3563	Maria Marchion – Pharmacist
3564	Express Scripts – Permit Holder
3565	Express Scripts – Permit Holder
3566	Express Scripts – Permit Holder
3567	Jeanine Volk- Pharmacist
3568	Albertus Rinke – Pharmacist
3569	Muhannad Abawai - Pharmacist
3570	Ronny Kassees – Pharmacist
3571	Walgreens Mail Service – Permit Holder
3572	Mark Heinz – Pharmacist
3573	Pearl Chavez – Clerk
3580	Express Scripts – Permit Holder
3581	Scott Anderson – Pharmacist
3582	Mary McDaniel – Pharmacist
3583	Candy Mollindo – Pharmacy Technician
3584	Gloria Martinez-Howell – Pharmacy Technician Trainee
3587	Incident 1 – Michael Schember – Pharmacist Joshua Santiago – Pharmacy Technician Incident 2 – Robert Waugh, Jr. – Pharmacist
3589	Daniel May -- Pharmacist Howard Walder - Pharmacist

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SCHEDULE "E"

CONFERENCES

1. COMPLAINT #3522 - Chris Markunas – Pharmacist – Respondent
Jerry Rubin – Pharmacist – Respondent
Jon Reitz – Pharmacy Supervisor – Witness
2. COMPLAINT #3541 - Jason Mays – Pharmacist – Respondent
Kevin Clark – Pharmacy District Manager - Witness
Debbe Mack – Director of Professional Services and
Government Relations - Witness
3. COMPLAINT #3552 - Hani Saba – Pharmacist – Respondent
Annalise Koenig – Intern – Respondent
Nicole Leiter – Pharmacy Supervisor – Witness
4. COMPLAINT #3554 - Fahad Alnoah – Pharmacist – Respondent
Oyuki Uriarte – Pharmacy Technician
Patrick Jerome – Pharmacy Supervisor - Witness

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SCHEDULE "F"
CONSENTS

1.	Todd Voss	-	08-0046-PHR
2.	Anil Kadari	-	09-0002-PHR
3.	P. Sean Duffy	-	09-0007-PHR
4.	Joshua Walden	-	09-0012-PHR
5.	Douglas McDowell	-	09-0014-PHR
6.	Prakesh Shah	-	09-0011-PHR

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SCHEDULE "G"

Pharmacy Technician Trainee Requests to reapply for licensure

- 1. Sara Shapiro**
- 2. Lora Valencia**
- 3. Gail Brown**
- 4. Lea Johnson**
- 5. Traci Scheber**
- 6. Philip Schwartz**
- 7. Brittney Neidhardt**
- 8. Brenda Sheldon**
- 9. Lorena Dolores**
- 10. Alta Garcia**
- 11. Ivette Beltran**
- 12. Kwajalyn Shannon**
- 13. Richard Ruiz**
- 14. Theresa Bonilla**
- 15. Cesar Casillas**
- 16. Jamie Knight**
- 17. Eddie Delgado**

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SCHEDULE "H"
PROPOSED RULES

PROPOSED RULES

- | | | | |
|----|--------------------------------|---|--|
| 1. | R4-23-205 | - | Fees Rule
(Approval of Notice of Final Rulemaking
and Economic Impact Statement) |
| | | | |
| 2. | R4-23-110, 405, 604, 615, 1003 | - | Resident Manufacturer & Mechanical
Counting Device Rules
(Approval to proceed to Notice of Proposed
Rulemaking) |

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SCHEDULE "I"
FORMAL HEARINGS/MOTION TO DEEM

Formal Hearings – November 13, 2008 – 9:00 A.M.

- | | | | |
|---------------------------------------|----------|---------------------|--------------------------------------|
| 1. Sheena Jacobs | - | 08-0036-PHR | Formal Hearing/Motion to Deem |
| 2. Jeanie Waters | - | 08-0045-PHR | Formal Hearing/Motion to Deem |
| 3. Deborah Grabowski Chenoweth | - | 08-0053- PHR | Formal Hearing |

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